



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/864,787	05/24/2001	Milligan	10995.00036

CONFIRMATION NO. 2887

FORMALITIES LETTER



OC00000006332415

Scott A. Burow
Banner & Witcoff, Ltd.
Suite 3000
10 South Wacker Drive
Chicago, IL 60606

Date Mailed: 07/24/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/27/2001 BARRAHAI 00000083 010850 09864787

01 FD:105 130.00 CH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No.: 10995.00036)

In the Application of:

Milligan et al

Serial No.: 09/864,787

Filed: May 24, 2001

For: TRACTION PINS FOR RAILWAY CARS)



Examiner:

Group Art Unit: 3617

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL APPLICATION

Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Applicants received a Notice to File Missing Parts of Non-Provisional Application dated July 24, 2001, stating that the oath or declaration is unsigned. In response, a copy of the Notice to File Missing Parts of Non-Provisional Application is enclosed, together with an Executed Joint Declaration and Power of Attorney pursuant to 37 CFR 1.63. Authorization is given to charge Deposit Account 01-0850 for the \$130.00 fee applicable to this Response to Notice to File Missing Parts of Non-Provisional Application.

Respectfully submitted,

Banner & Witcoff, Ltd.

Dated: September 24, 2001

By: Scott A. Burow
Scott A. Burow
Reg. No. 42,373
Banner & Witcoff, Ltd.
10 South Wacker Drive, Suite 3000
Chicago, Illinois 60606
Phone: (312) 715-1000
Facsimile: (312) 715-1234

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031

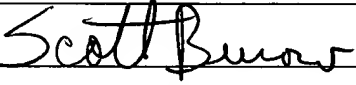
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/864,787	
	Filing Date	May 24, 2001	
	First Named Inventor	Milligan	
	Group Art Unit	3617	
	Examiner Name		
Total Number of Pages in This Submission		Attorney Docket Number	10995.00036

OTPE
SEP 24 2001
PATENT & TRADEMARK OFFICE

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		Being filed via Express Mail No.: EL 820756555US

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Scott A. Burow
Signature	
Date	September 24, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2001</h2> <p style="font-size: small; margin: 5px 0;">Patent fees are subject to annual revision.</p>		<p>Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/864,787</td> </tr> <tr> <td>Filing Date</td> <td>May 24, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Milligan</td> </tr> <tr> <td>Examiner Name</td> <td></td> </tr> <tr> <td>Group / Art Unit</td> <td>3617</td> </tr> <tr> <td>Attorney Docket No.</td> <td>10995.00036</td> </tr> </table>		Application Number	09/864,787	Filing Date	May 24, 2001	First Named Inventor	Milligan	Examiner Name		Group / Art Unit	3617	Attorney Docket No.	10995.00036
Application Number	09/864,787														
Filing Date	May 24, 2001														
First Named Inventor	Milligan														
Examiner Name															
Group / Art Unit	3617														
Attorney Docket No.	10995.00036														
TOTAL AMOUNT OF PAYMENT	(\$)	130													

<p>METHOD OF PAYMENT (check one)</p> <p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 01-0850</p> <p>Deposit Account Name: Banner & Witcoff, Ltd.</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p style="margin-left: 20px;"> <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other </p>	<p>FEE CALCULATION (continued)</p> <p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>130</td><td>123</td><td>130</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> <p>Other fee (specify) _____</p> <p>*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 130)</p>	Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	130	127	50	227	25	Surcharge - late provisional filing fee or cover sheet.		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,240	241	620	Petition to revive - unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	130	123	130	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))		179	710	279	355	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application	
Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																										
105	130	205	65	Surcharge - late filing fee or oath	130																																																																																																																																																																										
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																											
139	130	139	130	Non-English specification																																																																																																																																																																											
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																											
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																											
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																											
115	110	215	55	Extension for reply within first month																																																																																																																																																																											
116	390	216	195	Extension for reply within second month																																																																																																																																																																											
117	890	217	445	Extension for reply within third month																																																																																																																																																																											
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																																											
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																											
119	310	219	155	Notice of Appeal																																																																																																																																																																											
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																											
121	270	221	135	Request for oral hearing																																																																																																																																																																											
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																											
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																											
141	1,240	241	620	Petition to revive - unintentional																																																																																																																																																																											
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																											
143	440	243	220	Design issue fee																																																																																																																																																																											
144	600	244	300	Plant issue fee																																																																																																																																																																											
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																											
123	130	123	130	Petitions related to provisional applications																																																																																																																																																																											
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																											
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																											
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																											
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																											
179	710	279	355	Request for Continued Examination (RCE)																																																																																																																																																																											
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																											

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Scott A. Burow	Registration No. Attorney/Agent)	42,373	Telephone	312-715-1000
Signature				Date	September 24, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

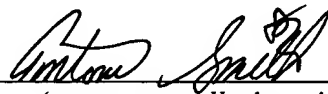


CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail No. EL820756555US

Deposited: September 24, 2001

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and is addressed to the Asst. Commissioner for Patents, BOX MISSING PARTS Washington, DC 20231.

By: 
(person actually depositing)

In the Application of: Milligan, et al.

Serial No. 09/864,787

Filing Date: May 24, 2001

For: TRACTION PINS FOR RAILWAY CARS

- (X) Fee Transmittal (in duplicate)
- (X) Transmittal Letter (in duplicate)
- (X) Response to Missing Parts (1 page)
- (X) Copy of Notice to File Missing Parts (1 page)
- (X) Executed Joint Declaration and Power of Attorney (3 pages)
- (X) Return Receipt Postcard

Attorney Docket No: 10995.00036